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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 DANIEL JAY PEREZ,

9 Plaintiff,

10 v.

11 DICK MORGAN, et al.,

12 Defendants.

CASE NO. 3:16-cv-6023 RBL-TLF

ORDER EXTENDING
DISCOVERY DEADLINE AND
DISPOSITIVE MOTIONS
DEADLINE *SUA SPONTE*

13 The Undersigned has filed a Report and Recommendation for the United States District
14 Court to deny defendant David Guidry's motion to dismiss. Dkt. 103. A telephone hearing to
15 discuss issues raised in the parties' discovery motions is scheduled for August 29, 2017. Dkt.
16 104. For the reasons stated herein, the Court now extends the discovery deadline from August
17 25, 2017 until October 27, 2017, and the deadline for dispositive motions until December 7,
18 2017.

19 **DISCUSSION**

20 Mr. Perez commenced this action on December 14, 2016. Dkt. 1. Defendants filed their
21 answer on February 21, 2017. Dkt. 30. On February 22, 2017, the Court entered a Mandatory
22 Pretrial Discovery and Scheduling Order Pursuant to Amended General Order 09-16. Dkt. 31.
23 The Order set the discovery deadline for June 23, 2017 and the dispositive motions deadline for
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1 August 25, 2017. In a prior order, this Court granted a motion by Perez to extend the discovery
2 deadline until August 25, 2017. Dkt. 72.

3 In granting Perez's previous motion to extend the discovery deadline, this Court
4 observed:

5 According to defense counsel, defendants have provided over 3,600 pages of
6 initial disclosures, including emails to and from the defendants, Mr. Perez's
7 medical chart, incident reports, segregation records, and grievance records. Dkt.
8 50; Dkt. 61, Declaration of Cassie B. vanRoojen. Dkt. 50. Additionally,
9 defendants have received and are processing over a dozen sets of discovery. *Id.*
10 Although the sets of discovery sent by Mr. Perez are procedurally deficient, the
11 parties have conferred and defendants have agreed to process the requests to get
12 the information requested to Mr. Perez. *Id.* Defendants also agreed to postpone
13 Mr. Perez's deposition until after the Court ruled on his motion for counsel. *Id.*
14 That motion was denied on July 5, 2017. Dkt. 71. The parties have stipulated that
15 defendants can proceed with Mr. Perez's deposition even after the discovery
16 cutoff. *Id.*

17 In the month since this Court granted the prior extension, Mr. Perez moved for an order
18 compelling defendants to produce what he asserts are redacted portions of a video recording
19 made May 17, 2016 (Dkt. 88) and moved to amend his complaint a second time (Dkt. 89).
20 Defendants have moved for a protective order and to quash deposition notices to several
21 individual defendants (Dkt. 91). In addition, the undersigned has recommended that the Court
22 deny defendant Guidry's motion to dismiss the complaint against him (Dkt. 103). The Court has
23 also set a hearing and status conference for August 29 to discuss issues pertaining to discovery
24 and Perez's motion to amend the complaint (Dkt. 104).

The Court is allowing additional time to enable the parties to resolve their disputes
regarding discovery and to complete discovery. *See Dependable Highway Exp., Inc. v.*
Navigators Ins. Co., 498 F.3d 1059, 1066 (9th Cir. 2007) ("[A] district court possesses the
inherent power to control its docket and promote efficient use of judicial resources.").

1 Based on the foregoing, it is **ORDERED**:

2 (1) The discovery deadline is **EXTENDED**. The discovery deadline is now set for
3 October 27, 2017. The dispositive motion deadline will be December 7, 2017.

4 (2) The Clerk of Court is directed to send a copy of this Order to plaintiff and to
5 counsel for defendants.

6 Dated this 11th day of August, 2017.

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Theresa L. Fricke
9 United States Magistrate Judge
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